

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY KERRIGAN, LORI MIKOVICH
and RYAN M. VALLI, individually, and on
behalf of all others similarly situated,

Plaintiffs,

v.

VISALUS, INC., a corporation, et al.,

Defendants.

Case No. 2:14-cv-12693
Hon. Matthew F. Leitman

PROMOTER DEFENDANTS' JOINDER IN VISALUS DEFENDANTS'
MOTION TO STRIKE CLASS ALLEGATIONS

NOW COME Defendants A Berry Good Life, Inc., ArriveBy25, Inc., BAM Ventures, Inc., BeachLifestyle Enterprises, LLC, Michael Craig, Aaron Fortner, Freedom Legacy, LLC, Gooder, LLC, Got Heart Global, Inc., Rachel Jackson, Jaketrz, Inc., Holley Kirkland, Timothy Kirkland, Anthony Lucero, Rhonda Lucero, M-Power Path, Inc., Kevin Merriweather, Mojos Legacy, LLC, Network Dynamics America Corp., Jason O'Toole, Jason O'Toole International Holdings, Inc., OCD Marketing, Inc., Kyle Pacetti, Jr., Lori Petrilli, Power Couple, Inc., Prospex Automated Wealth Systems, Inc. Red Letters, LLC, Residual Marketing, Inc., Gary J. Reynolds, Jake Trzcinski, Frank Varon, Wealth Builder International LLC, Tara Wilson, and 9248-2587 Quebec, Inc., by and through their attorneys,

Seyburn, Kahn, and hereby move, pursuant to Fed.R.Civ.P. 23(d)(1)(D), to strike the class allegations in the Third Amended Complaint on the grounds that the three law firms representing Plaintiffs and the putative class, Sommers Schwartz, P.C., Prebeg, Faucett & Abbott, PLLC, and Wexler Wallace, LLP, cannot fairly and adequately represent the members of the proposed class.

Defendants herein join in the ViSalus Defendants' Motion to Strike Class Allegations and adopt the reasons set forth in the Memorandum of Points and Authorities in Support of ViSalus Defendants' Motion to Strike Class Allegations.

SEYBURN KAHN, P.C.

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Automated Wealth Systems, Inc. Red
Letters, LLC, Residual Marketing, Inc.,
Gary J. Reynolds, Jake Trzcinski, Frank
Varon, Wealth Builder International LLC,
Tara Wilson, and 9248-2587 Quebec, Inc.

Dated: September 29, 2017

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2017, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record.

SEYBURN KAHN, P.C.

/s/ Barry M. Rosenbaum (P26487)

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